<u>REMARKS/ARGUMENTS</u>

The Office Action mailed October 21, 2004 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Claim 1 has been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for the changes may be found in the specification, page 14, [0028]; page 13, [0026]; page 15, [0029]; and page 36, [0050]. The text of Claims 2-12 is unchanged, but their meaning is changed because they depend from amended Claim 1.

New claim 13 also particularly points out and distinctly claims the subject matter regarded as the invention. Support for the claim may be found in the specification on page 13, [0026].

<u>Oath/Declaration</u>

The office action states that "Page 1 contains the following informality: the date of the foreign application "September 21, 1000" will be taken as "September 21, 2000". Appropriate correction is required.

Attached please find a Supplemental Oath/Declaration specifying the correct date of the foreign application as September 21, 2000 as requested by the Examiner.

The First 35 U.S.C. § 102 Rejection

Claims 1-12 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by

Wang[1]. This rejection is respectfully traversed.

According to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102(a), (b) and (e)

only if each and every element as set forth in the claim is found, either expressly or inherently

described, in a single prior art reference.[2]

The office action states:

"As per claim 1, Wang teaches a system of network devices comprising:
one or more clients **(Figure 3)**;
an enclosed network having a central server **(Figure 3 and column 4, lines 20-24; main server 20)**, at least one national server **Figure 3 and column 4, lines 24-28; regional servers 22)**, and at least one operator server **(Figure 3 and column 4, lies 26-29; local servers 24)**, said central server located at the top of said enclosed network **(Column 4, lines 20-24; server at top level)**, each of said at least one national server coupled to said central server and representing a country or language **(Figure 3 and column 4, liens 24-28; regional servers can represent various geographical areas and or languages)**, each of said at least one operator server coupled to one of said at least one national server and representing a region or state within said country or language, said one or more clients coupled to said enclosed network through said at least one operator server **(Figure 3)**; and
a user interface coupled to said one or more clients between said one or more clients and said enclosed network such that all internal services provided to the client are provided via said user interface **(column 9, lines 55-61 and column 3, lines 44-49)**."

Applicant respectfully disagrees.

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[1] U.S. Patent No. 5,956,521

[2] Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Amended Claim 1 provides for:

"an enclosed network having a central server, at least one national server, and at least one operator server,

said central server located at the top of said enclosed network <u>configured to keep a list of items on at least one menu structure, said menu structure having at least one master item and at least one slave item configured in a hierarchical manner;</u>

each of said at least one national server coupled to said central server and representing a country or language, <u>said national server configured to maintain the menu structure and transfer the menu structure to said at least one operator server;</u>

each of said at least one operator server coupled to one of said at least one national server and representing a region or state within said country or language, said one or more clients coupled to said enclosed network through said at least one operator server; and

a user interface coupled to said one or more clients between said one or more clients and said enclosed network such that all internal services provided to the client are provided via said user interface."

As stated in the specification, the central server may function to "keep a list of all items of the global tree – that is used for transformation of the tree when the Client 6 views a tree of another operator server 5 (in another country, the tree may be arranged in a different way)." (Specification, page 14, [00028]). The national server may function "to maintain the global tree, [and] to transfer its tree to another operator server 5, either in the national language or in English." (Specification, page 15, [00029]). Furthermore, "[c]lients 6 of the system may use a unified user interface with a precisely defined menu structure, which is arranged from the organizational point of view in a form of a tree." (Specification, page 13, [0026]). The claimed invention will provide "suppliers of services and goods by E-Business an increased turnover, owing to the large number of clients who will use the proposed system owing to its simplicity,

safety and the warranties provided for suppliers and for Clients." (Specification, page 36, [00050]).

Wang teaches a "system for facilitating, sending and receiving e-mail messages." (Abstract). "At the top level, there is a main server 20 receiving e-mail messages from the internet network and sending e-mail messages originated from the client e-mail devices to the network. ... The main server 20 receives an e-mail message, identifies the e-mail address, determines the regional server 22 for this e-mail message, and sends it to the corresponding regional server 22. ... After it receives a message, it forwards the message to the local server." (Col. 4, lines 33-40). As stated in Claim 1 of Wang, the "electronic mail messaging devices is assigned a particular address within said domain address for receiving electronic mail messages addressed to said particular address" (Col. 16, lines 63-66). The system of Wang merely utilizes e-mail addresses within a domain address to facilitate and send e-mail messages. Wang does not teach a central server configured to keep a list of items on at least one menu structure, said menu structure having at least one master item and at least one slave item configured in a hierarchical manner, a national server configured to maintain the menu structure and transfer the menu structure to said at least one operator server, or a user interface having a defined menu structure as claimed in Claim 1.

Accordingly, since Wang does not teach each and every element as set forth in Claim 1, it can not be said to anticipate the claimed invention.

As to dependent claims 2-13, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance. Applicant respectfully requests withdrawal of this rejection.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.
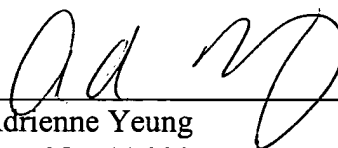
If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,
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Dated: 1/18/05

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